

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Claims 1-60 are pending in this application.

Objection to the Specification and Claims:

The disclosure was objected to because of the term “variations.” In order to promote allowance of the application, Applicant has deleted all instances of “variations” from the claims except for newly added dependent claims 49 and 51 which state “variations of engine types.” That is, the “variations” recited in claims 49 and 51 explicitly state what is being varied (i.e., variations of engine types). With respect to the specification, Applicant submits that one of ordinary skill in the art would clearly understand the term “variations.” For example, page 28, lines 13-16 of the specification states “[T]he generator program represents *variations* such as V6, V8, and I6 for the relevant engine types (emphasis added).” Similarly, page 3, lines 1-5 of the specification states “There may be the case of creating a plurality of types of the above-mentioned program for the engine ECU according to variations, i.e., engine type such as V6..., V8... and I6..., destination countries such as Japan, Europe and the United States of America, and intended uses such as delivery to manufacturers and debugging.” The variations are thus the variations of an item (e.g., engine type, destination country or intended use) that may be modeled. This would clearly be understood by one of ordinary skill in the art.

Rejections Under 35 U.S.C. §112, Second Paragraph:

Claims 1-48 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In order to promote allowance of the application, instances of “given” model and “certain” model have been deleted from the claims. As noted above, the recitation of

“variations” has also been deleted in most instances. Applicant therefore submits that claims 1-48 are in full conformance with 35 U.S.C. §112, second paragraph.

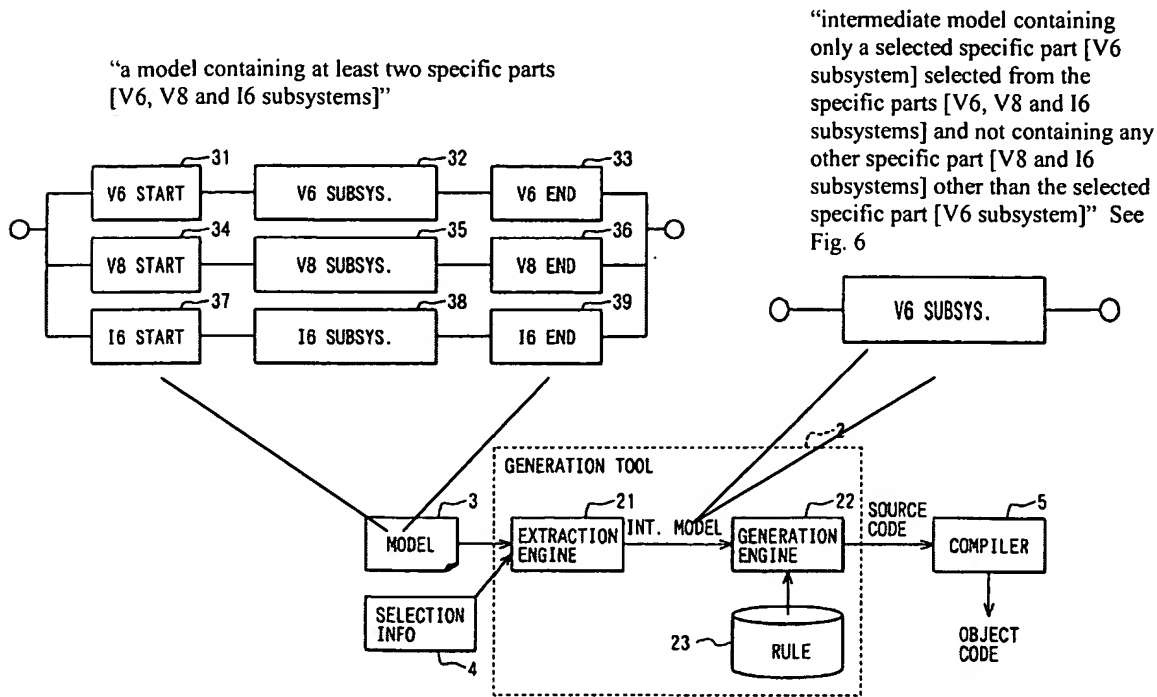
Rejections Under 35 U.S.C. §102 and §103

Claims 1-5, 7-16, 19, 23, 27, 31, 35, 39, 43 and 47 were rejected under 35 U.S.C. §102 as allegedly being anticipated by Hanselmann. Claim 6, 17-18, 20-22, 24-26, 28-30, 32-34, 36-38, 40-42, 44-46 and 48 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Hanselmann in view of admitted prior art (APA). Applicant respectfully traverses these rejections.

For a reference to anticipate a claim, each element must be found, either expressly or under the principles of inherency, in the reference. Each element of the claimed invention is not found Hanselmann. For example, Hanselmann fails to disclose or even suggest following limitations of claim 1: “deletion and generation means for generating the source code from an intermediate model, which is generated from the model acquired by the model acquisition means based on the selection information acquired by the selection information acquisition means, the intermediate model containing only a selected specific part selected from the specific parts and not containing any other specific part other than the selected specific part.”

By way of example, an acquired model 3 contains at least two specific parts, such as subsystems corresponding to engine types V6, V8 and I6. An intermediate model is generated from the model 3 to only contain a selected specific part(s) and to exclude a non-selected specific part(s). For example, the following diagram (formed from Figs. 2, 3 and 6 of the application) illustrates that a first intermediate model may be generated from the model 3 containing at least two specific parts V6, V8 and I6, the first intermediate model (“INT MODEL” in the following

diagram) containing selected specific part V6, but excluding non-selected specific parts V8 and I6 (i.e., specific parts other than the selected specific part).



A second intermediate (“INT. MODEL” illustrated above) model may be generated from the same model 3 to contain selected specific part V8, but to exclude non-selected specific parts V6 and I6 (i.e., specific parts other than the selected specific part) based on different selection information 4. Also, a third intermediate (“INT. MODEL” illustrated above) model may be generated from the same model 3 to contain selected specific part I6, but to exclude non-selected specific parts V8 and V6 (i.e., specific parts other than the selected specific part) based on different selection information 4. Source code may be generated from the intermediate model (whichever intermediate model is generated) by the generation engine 22.

Through the above-noted limitations, the invention of claim 1 may provide the benefit of reducing the volume of the resultant source code and consequently reducing the size of the

compiled object code. Moreover, convenience can be increased by allowing information associated with generating source code for various parts to be provided in a combined model having a plurality of parts, and allowing selection of a specific part.

In contrast, Hanselmann allows control widgets to be assembled for a single simulation model that is not even associated with a particular hardware. Indeed, Hanselmann merely describes building a simulation of a single model for a controlled object using various cockpit widgets, without targeting specific hardware. (See, e.g., page 132, col. 1 under heading “4. RCP Software Tools”.) Accordingly, if anything, Hanselmann teaches against the invention of claim 1, which is directed to a specified specific part selected from among specific parts for generating an intermediate model from which source code may be generated.

Hanselmann fails to begin to even appreciate the benefits from multiple specific parts being contained in a model for a development and selection of a specific part therefrom. In the introduction of page 129 of Hanselmann, the recitation of “type of use (sporty, long-haul, city driving)” merely explains usage as the background of development, while mentions of “improve fuel efficiency and emissions... Regulations...” only explain a requirement or target for improvements, without disclosing specific parts, one or more of which may be selected with other specific parts excluded in order to generate an intermediate model from which source code may be generated. Steps 3-5 of page 129 make reference to “simulation” and “real-time” but fails to provide any teaching or suggestion of selecting a specific part from multiple parts, and thus fails to teach or suggest, for example, “acquiring selection information... capable of indicating selection of a specific part among the specific parts” as claimed. The “I/O block libraries” specified in step 4 interface with a real product at a real plant and does not select between part types. In Fig. 5 of Hanselmann, a drag-and-drop allocates an icon of an instrument

for displaying variables of a PC when a code is tested. However, there is no indication regarding “deleting by the drag-and-drop.” Accordingly, Hanselmann’s “drag-and-drop” is not related to acquiring selection information capable of indicating selection of a specific part among a plurality of specific parts to generate an intermediate model containing only the selected specific parts and not the other (non-selected) specific parts.

Independent claims 8-14 require similar (but not necessarily identical) limitations as those specifically identified and discussed above for claim 1, and are thus allowable for reasons similar to those discussed above.

Accordingly, Applicant requests that above-noted rejections under 35 U.S.C. §102 and §103 be withdrawn.

New Claims:

New claims 49-60 have been added. New claim 50 requires, *inter alia*, “selection information acquisition means for acquiring selection information from an external source, the selection information indicating a selection of the specific part among the plurality parts; searching means for searching the combined model containing the information for generating source code associated with the plurality of parts to find part-specific information for generating the part-specific source code associated with the specific part matching the selection information acquired by the selection information acquisition means.” Accordingly, Applicant submits that claims 50 is allowable. Dependent claims 49 and 51-60 are allowable for at least the same reasons with respect to their corresponding respective base claims.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an

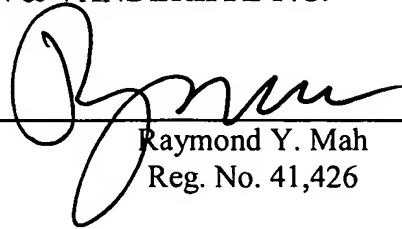
• OI et al
Appl. No. 10/761,207
July 18, 2008

interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Raymond Y. Mah
Reg. No. 41,426

RYM:dmw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100